IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

SUIT NO.143 OF 1995
WITH
CHAMBER SUMMONS NO.1103 OF 2006

M/s. Vijayalaxmi Construction & Ors. ..Plaintiffs.
Vs.
Smt. Sunanda Anant Nalavade & Ors. ..Defendants.

...

Mr. Rajendra Pawar for the Plaintiffs.
Mr. S.M. Kazi for the Defendants.
Mr. Chirag Balsara for the Applicant in Chamber Summons 1103 of 2006.

...

CORAM: DR. D.Y. CHANDRACHUD, J.

28th August, 2006.

P.C. :

Consent Terms signed by the advocate for the Plaintiffs and by the advocate for the Defendants have been tendered and are taken on record and are marked as 'X' . The suit has been settled as between the Plaintiffs and the Defendants. Mr. Balsara appears on behalf of the Applicants in Chamber Summons 1103 of 2006. Mr. Balsara states on instructions that a suit has already been instituted by the Applicants to the Chamber Summons in this

Court in order to protect the substantive rights that the Applicants claim qua the property that forms the subject matter of the present suit. The counsel has prayed that in order to enable the Applicants to have recourse to their remedies in the said suit by moving the appropriate Court for ad interim relief, the Plaintiffs and the Defendants be directed to maintain the status quo for a period of two weeks from today. Counsel appearing for the Plaintiffs and the Defendants state that without prejudice to the rights and contentions of the parties to these proceedings and without in any manner conceding to the tenability of the claim of the Applicants in the Chamber Summons, the parties to these proceedings viz. the Plaintiffs and the Defendants agree to maintain the status quo for a period of two weeks from today. The statement is accepted. The suit is in the circumstances dismissed as withdrawn.

In view of the disposal of the suit, Chamber Summons 1103 of 2006 does not survive and is disposed of, as not pressed.